

GOVERNOR'S
REASONS
FOR VETO:

"Of the two ballot allocation methods approved by the 68th Legislature," HB 1038, by G. Hill, and SB 382, "this bill offers the less practical solution to the problems of ballot shortages at polling places."

SPONSOR'S
VIEW:

Sen. Mauzy said he supports the veto because he proposed the ballot provisions of HB 1038 as a Senate floor amendment. HB 1038 is preferable, he said, because it applies to all Texas counties rather than only the 36 counties that would have been affected by SB 382. HB 1038 does not require that ballots be printed for all of the registered voters in general elections, but the other provisions are essentially the same, Mauzy said.

NOTES:

The HSG analysis of HB 1038 appeared in the May 11 Daily Floor Report.

Fort Bend County Drainage District
(SB 454, by Sharp)

DIGEST:

The bill would have authorized the Fort Bend County Drainage District, with voter approval, to manage ground water to control and prevent land subsidence in the district. No well could have been drilled or operated in the district for withdrawing ground water without a permit from the county commissioners, who serve as the board for the drainage district. In deciding whether to issue a permit, the commissioners would have considered, among other factors, a district plan for controlling subsidence by reducing ground water consumption. Each holder of a well permit would have been required to file an annual report stating the amount of ground water produced each month and specifying the use it was put to. The commissioners would have been authorized to charge well-permit fees, to require water-metering devices on wells, to enter any property in the district, and to seek injunctions and civil penalties for violations. Certain small wells could have been given exemptions by the district.

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"The best interests of the people of the Fort Bend County region in addressing the problem of subsidence would be served through participation in an existing regional district."

SPONSOR'S
VIEW:

When Houston was faced with a serious land-subsidence problem as a result of overpumping its own ground water, the city announced it would switch to surface water, but Houston now plans instead to drill deep wells in Fort Bend County. This will "keep Houston from sinking but sink Richmond and Rosenberg," Sen. Sharp said. It is "ridiculous" to suggest that Fort Bend County join the existing Harris-Galveston Coastal Subsidence District. "There's no way that Fort Bend County, in the same organization with Harris County, could get a word in edgewise."

Houston Mayor Kathy Whitmire, "gets full credit" for this veto. Houston is bigger than Fort Bend County, and voted for Gov. White, whereas "Fort Bend voted against him."

NOTES:

SB 454 was analyzed in the April 27 Daily Floor Report. The version of the bill that passed the Senate and was reported by the House Natural Resources Committee would simply have authorized the governing body of the Fort Bend County Drainage District to pay each member of that body up to \$30 for each day spent working on district business. The version of the bill that was passed by the House and concurred in by the Senate, authorizing the district to exercise broad authority to manage ground water, was substituted as a floor amendment by Rep. DeLay, the House sponsor. Houston Mayor Whitmire asked Gov. White to veto the bill, because it could be used to prohibit Houston from drilling 16 proposed deep-water wells in Fort Bend County to supply 45 million gallons of water daily to southwest Houston homes.